

Grower and Dealer Licensing Guide Lines

Throughout North America the root of wild ginseng - *Panax quinquefolium* L. has been a long sought after commodity, which is collected and sold as an herbal remedy. It was first used in traditional Chinese medicine as an "imperial" herb because of its non-toxic and rejuvenating properties. As such, it commanded a very high price and was generally reserved for the wealthy. As the popularity of ginseng rose, more and more collectors were harvesting entire populations of ginseng leaving nothing behind to self-seed. Unlike many common plants, ginseng has specific cultural requirements for it to become established. It prefers moist calcareous protected rocky hill sides with a moderately dense overstory of deciduous hardwood trees to provide plenty of shade. It is a slow growing perennial herb and it takes approximately two years before it can set seeds. For the root to reach a marketable size it may take three to six years depending on growing conditions. However, its high market value has lead to its decline due to over harvesting. For every pound of dried ginseng root, approximately 250 plants need to be harvested. To put this into perspective, the New Hampshire Natural Heritage Inventory (NHI) has confirmation of only seventeen sites in New Hampshire with each site containing fewer than eighty plants.

The state of New Hampshire defines "Wild ginseng" as "ginseng growing or grown in an uncultivated state or harvested from its natural habitat. Wild ginseng includes ginseng that was introduced to or propagated in its natural habitat by sowing ginseng seed or transplanting ginseng plants from other areas and performing no other standard ginseng horticulture practices."

To ensure the survival of wild ginseng, growers and dealers interested in selling or distributing cultivated ginseng are required to obtain a license from the NH Department of Agriculture, Market & Foods, Plant Industry Division. The following information is provided as a quick reference guide for licensing of cultivated ginseng. This information does not apply to harvesting of wild ginseng.

(Click on [blue](#) text to access additional information)

- **If you wish to grow, sell or distribute cultivated ginseng, please refer to [Section 1 – Licensing of Growers](#)**
- **If you are a dealer and wish to sell cultivated ginseng, please refer to [Section 2 – Licensing of Dealers](#)**

Section 1 - Licensing of Growers

A person shall not grow for sale or distribution cultivated ginseng unless licensed by the department. A grower's license shall not be issued for the collection or taking of wild ginseng for the purpose of sale or distribution.

1) Licensing

Live cultivated ginseng plants or plant parts, except seeds, for propagation shall not be transported or sold without the owner obtaining a license. Each grower shall complete a [Growers and Dealers License Application](#) and return it to the NH Department of Agriculture Market and Foods, Plant Industry Division. Growers shall pay an annual fee of \$25 for each license year beginning on July 1 and ending on the following June 30.

2) Collection, Cultivation and Harvest of Cultivated Ginseng

- (a) Prior to preparing beds for planting of ginseng, growers shall obtain a written determination from the director certifying that the area where beds are to be located is free from wild ginseng.
- (b) Growers shall keep accurate and complete records on the cultivation of ginseng including:
 - (1) Origin of seed;
 - (2) Location of beds including site maps;
 - (3) Planting dates;
 - (4) Number of pounds and ounces;
 - (5) License number; and
 - (6) Shipment number.
- (c) Planting, harvest and sales records shall be submitted annually to the department. The records shall be kept for a period of 5 years. Dealers and growers shall keep records on the [Record of Harvest and Sales form](#). Hard copies are available upon request.

3) Submission of Cultivated Ginseng for Weighing

- (a) After annual harvesting, a grower shall submit all cultivated ginseng in the grower's possession for weighing.
- (b) The director shall record the weight of the certified ginseng.

The cultivated ginseng submitted for weighing and all documentation shall be available for inspection by the director.

4) Certification of Cultivated Ginseng Intended for Sale or Distribution

All cultivated ginseng roots intended for sale or distribution shall be certified by the department for dry weight, place of origin, year of harvest and type and condition. The department will then issue an American Ginseng State of Origin Certificate for each sales transaction or shipment, domestic or export.

5) Record of Sale

A grower selling cultivated ginseng shall provide to the department a record of sale including the following:

- (a) Grower's name and address;
- (b) Grower's license number and ginseng certificate number;
- (c) Dry weight; and
- (d) Year harvested.

Planting, harvest and sales records shall be submitted annually to the department. The records shall be kept for a period of 5 years. Dealers and growers shall keep records on the Record of Harvest and Sales form (to access, click on the link in section 2c).

Section 2 - Licensing of Dealers

A dealer shall not sell cultivated ginseng unless licensed by the department. A dealer's license shall not be issued for the collection or taking of wild ginseng for the purpose of sale or distribution.

1) Licensing of Dealers

Each dealer shall complete a [Growers and Dealers License Application](#) and return it to the NH Department of Agriculture Market and Foods, Plant Industry Division. Dealers shall pay an annual fee of \$25 for each license year beginning on July 1 and ending on the following June 30. A dealer's license is nontransferable. The requirements of this section shall not apply to individuals purchasing dried ginseng at a retail store in the state of New Hampshire for personal consumption.

2) Foreign Ginseng

- (a) No dealer shall purchase or receive foreign ginseng unless it is accompanied by a valid certificate issued by the state or country of origin.
- (b) The certificate required pursuant to (a) above shall include:
 - (1) Source of the cultivated ginseng;
 - (2) Year of harvest;
 - (3) Weight of cultivated ginseng; and
 - (4) Number of cultivated ginseng roots.
- (c) The dealer shall retain a copy of each certificate received.

3) Record of Sale

A dealer selling cultivated ginseng shall submit annually to the department a record of sale. The records shall be kept for a period of 5 years. Dealers shall keep records on the [Record of Harvest and Sales form](#). Hard copies are available upon request.

A dealer shall not provide a purchaser with a record of sale for more ginseng than is actually sold or otherwise exchanged.

6) Prohibited Conduct by Dealer

A dealer shall not:

- (a) Buy or otherwise acquire uncertified ginseng;
- (b) Buy, acquire, or sell ginseng without creating and maintaining an accurate record of all of the following information:
 - (1) Seller's or purchaser's name and address;
 - (2) Grower's license number, dealer's license number, or collector's name and address and ginseng certificate number;
 - (3) Dry weight of ginseng;
 - (4) Year the ginseng was harvested or collected; and
 - (5) Date of the transaction; or
- (c) Sell or export cultivated ginseng harvested in New Hampshire without first obtaining a ginseng certificate.